

REMARKS

Claims 1-16, 18 and 20 are pending. By this Response, claims 1, 11, 15 and 18 are amended. Reconsideration and allowance based on the above amendments and following are respectfully requested.

The Office Action rejects claims 1, 3, 5, 6, 11, 13 and 16 through 20 under 35 U.S.C. §103(a) as being unpatentable over Tock (US 5,815,718) in view of Domenikos, et al. (US 5,838,910); claims 2 and 12 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Snyder, et al. (US 6,161,167); claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Tso (US 6,247,050); claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Kimishima (US 5,978,846) and claim 10 under 35 U.S.C. §103(a) as being unpatentable over Tock, Domenikos, Kimishima and Tso. These rejections are respectfully traversed.

The Board of Patent Appeals and Interferences state in its Decision mailed on September 29, 2005 that arguments directed to applicant's embedded execution device within various devices which perform server functions and obtains and executes function modules "is not persuasive" since the argument is not commensurate in scope with the language of independent claim 1." See page 7 of the Board's Decision. Based on the Board's Decision, applicant has amended the independent claims to further define the characteristics of the execution device with the plurality of device apparatus and the manner in which the specifically created execution modules are implemented and removed from the execution devices, to distinguish the claimed embodiments from the conventional servers of Tock and Domenikos.

Specifically, in embodiments of the present invention, an execution device is integrated within one or more of a plurality of different device apparatus, e.g., printer, fax, scanner etc. A request device in a memory is separately located on a network and performs specific functions. The memory stores the plurality of execution modules for each of the different device apparatus. Each execution module is uniquely created for that specific device. A request device requests a specific process to be performed by the apparatus device upon which a function execution module specifically designed for that device and for that task is then obtained by an execution device located within the device apparatus through the network. The function execution module is installed in the execution device and upon completion of the execution of the installed function execution module, the execution module is immediately uninstalled. This allows the individual apparatus devices to maintain small amounts of memories reducing the cost associated with the device while also increasing the performance and efficiency of the overall system.

Applicants respectfully submit that Tock and Domenikos fail to teach or suggest, *inter alia*, an execution device integrated within one of a plurality of different device apparatus which are located on said network remotely from said memory and said request device for receiving through the network, the execution request output from the request device, acquiring, through the network, one of a plurality of function executing modules which has a function of realizing the execution request from the memory...wherein each execution request has one corresponding function execution module stored in the memory that relates to the execution request for the desired device apparatus, the function execution module being installed in the execution device upon acquiring from the memory and uninstalled from the execution device upon the execution of the function execution module, as recited in claims 1, 11 and 15. Tock and Domenikos also

fail to teach or suggest, *inter alia*, storing plurality diverse execution modules in memory located remotely on said network from said operational devices, each of said execution modules containing a set of instructions uniquely usable by an operational device; acquiring said requested execution module by an execution device integrated within said selected operational device from said remote memory, said operational device executing said set of instructions contained in the requested execution module to perform the requested action and wherein each requested action has one corresponding execution module related to the requested action for the operational device, the execution module being installed and the execution device of the operational device upon being acquired and uninstalled from the execution device upon the execution of this set of instructions contained in the execution module, as recited in claim 18.

In contrast, applicants respectfully submit that Tock teaches a conventional server system in which data residing on one or more servers 108 can be acquired and executed by a computer 114 connected to the servers. Programs can also obtain the acquired data and execute operations using the data. See column 3, lines 53 through 67 through column 4.

Domenikos teaches a system in which applications by a client are retrieved from a server through a network. The application programs can be executed at the remote server location during a browser operation. See column 8, lines 5-35 and column 12, lines 15-67 through column 13, lines 1-3.

Applicant respectfully submits that the conventional server systems of Tock and Domenikos do not employ execution devices in each of an array of apparatus devices for which unique execution modules are designated. In each of the conventional systems of Tock and Domenikos, data is globally stored for various operations and programs to retrieve and not

uniquely created for a specific execution device. Further, when the data is retrieved and stored or installed in the conventional systems, the data is not immediately uninstalled upon implementation of the data, as in embodiments of the present invention.

Therefore, in view of the above, applicant respectfully submits that Tock and Domenikos fail to teach each and every feature of applicant's independent claims as required. Further, Snyder, Tso and Kimishima have failed to remedy the deficiencies of Tock and Domenikos. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

For at least these reasons, it is respectfully submitted that claims 1-16, 18 and 20 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 28, 2005

Respectfully submitted,

By 

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